



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number 10/711,371

Filing Date September 14, 2004

First Named Inventor James C. RADDIN, et al.

Art Unit 3617

Examiner Name

Attorney Docket Number 040802

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Reply to Missing Parts/
Incomplete Application☒ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Lafkas Patent LLC

Signature

Printed name

David M. Lafkas

Date

November 22, 2004

Reg. No.

50,424

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

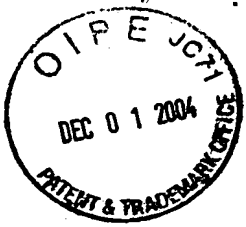
David M. Lafkas

Date

November 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/711,371 Confirmation No. 5370
Applicant : James C. RADDIN, et al.
Filed : September 14, 2004
Title : Bicycle Wheel Spinner Assembly
TC/A.U. : 3617
Docket No. : 040802
Customer No. : 35501

Honorable Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

Sir:

In reply to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed November 19, 2004 (copy attached), Applicants attach the original signed copy of the originally filed Declaration for the above-identified application.

In the Notice to File Missing Parts of Nonprovisional Application, the Patent Office alleges that the signature of Matt Bell (also known as Matthew Bell) is missing from the Declaration. Applicants respectfully disagree.

Applications respectfully submit that the signature of Matt Bell is not missing from the Declaration. The original signed Declaration is attached and clearly includes the signature of Matt Bell. Applicants submit that the signature of Matt Bell was written lightly and thus, did not transfer as clearly as desired when the nonprovisional application and associated Declaration were electronically filed with the United States Patent and Trademark Office on September 14, 2004.

Also attached is a copy of the electronically filed Declaration from the Private Patent Application Information Retrieval (PAIR) system of the Patent Office. Applicants submit that the signature of Matt Bell is evident in the PAIR system copy.

Applicants were not aware that the signature of Matt Bell did not electronically transfer as clearly as desired by the Patent Office at the time of the electronic filing of the application. Applicants submit that the signature of Matt Bell is evident in the PAIR system copy and supported by submission of the original signed Declaration. Thus, Applicants submit that the present application is in condition for examination.

Further, as the signature of Matt Bell is evident on the PAIR system copy of the Declaration and supported by the original signed Declaration, Applicants submit that the oath or declaration surcharge of \$65.00 for a small entity should not be charged.

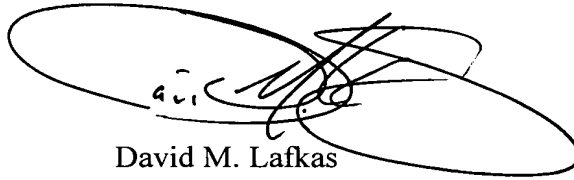
Application No. 10/711,371

Response to Notice to File Missing Parts of Nonprovisional Application dated November 22, 2004

Reply to Notice to File Missing Parts of Nonprovisional Application of November 19, 2004

Should the Patent Office believe that anything further would be desirable in order to place this application in better condition for examination or if the Patent Office has any further questions or comments, the Patent Office is invited to contact Applicant's undersigned representative at the telephone number or electronic mail address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Lafkas', is written over a large, loopy oval scribble.

David M. Lafkas
Registration No. 50,424

DML/hs

Date: November 22, 2004

Attachments:

Copy of Notice to File Missing Parts of Nonprovisional Application
Original Signed Declaration
Copy of filed Declaration from PAIR System

LAFKAS PATENT LLC
7811 Laurel Avenue
Cincinnati, OH 45243
Telephone: (513) 271-8255
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dlafkas@lafkaspatent.com

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to my Deposit Account No. 502739</p>

F FW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,371	09/14/2004	James C. Raddin	040802

35501
LAFKAS PATENT LLC
7811 LAUREL AVENUE
CINCINNATI, OH 45243

CONFIRMATION NO. 5370

FORMALITIES LETTER



OC00000001 4407601

Date Mailed: 11/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Matt Bell
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "A. Bergha", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE